

MAYOR GRACES WITNESSES.

SHARPLY QUESTIONED BY COUNSEL FOR THE COMMISSIONERS.

Using the Methods and the Results of their Investigations in the Streets—Written Notes and Oral Testimony—Mr. Moody's Unfinished Record of Persecutions.

The examination into the charges against Police Commissioners Nickerson, Mason, and French, with reference to the condition of the streets of this city, was commenced before Mayor Grace yesterday. Mr. Willard Bartlett and Mr. Vanderpool appeared for Commissioner Nickols, and Mr. Elihu Root for Commissioner Mason. The Corporation Counsel was represented by Mr. George P. Andre.

Mr. Bartlett opened the proceedings by moving that the testimony of Messrs. Drexel, Sherwood, and Emerson be stricken from the record, on the ground of the objections heretofore argued.

Mr. Andreawould he would make no objection, although he thought the defense were not entitled to have the motion granted.

Mayor Grace then granted the motion to strike out the testimony.

Mr. Charles E. Whitehead testified in support of the Mayor's charges; I reside at 64 West Twenty-third street, and have lived in the city twenty-five years. I examined the condition of the streets on March 11 last. I found that some streets had been cleaned quite recently, and some had not been cleaned for some time. The latter were blackened with snow, mud, and ice. I went through City Hall place and found it muddy, and there were barrels of ashes on the sidewalks. In Pearl and Baxter streets I found piles of mud, and in some places the passage was difficult. In Park and Cherry streets the mud and debris were from one foot to two feet deep in the roadway. In Centre street there were piles of ashes and boxes of ashes overflowing, but there was very little mud. Leonard street was in a very bad condition. There were piles of mud at the side which seemed to be four feet in depth. At the junction of Leonard and Baxter streets I descended from the carriage and walked. There I found piles of refuse on the sidewalk higher than my walking stick. Franklin street was in a bad condition. In Bayard street there were piles of dirt three feet high and three feet long. I noticed particularly that in front of the primary school were piles of mud. In Mulberry street there were long piles of mud along the sidewalk, about three feet high, and a great deal of mud and debris were from one foot to two feet deep in the roadway. In Centre street there were piles of ashes and boxes of ashes overflowing, but there was very little mud. Leonard street was in a very bad condition. There were piles of mud at the side which seemed to be four feet in depth.

It was pretty far from correct when you read "bad" for good, said Mr. Root.

Mr. Bartlett—Did you not say that?

The witness—I am sorry, I did not notice in my memorandum that I had omitted it.

The question of Mr. Andrews? said Mr. Bartlett. Was not the side you are called on, your memorandum, that Thirtieth street was extra clean? From Eighth to Ninth streets, was clean?

I do not know, sir. I had no bad motive, I assure you.

I do not criticize you; I think you were doing just what you were instructed to, Mr. Bartlett—I don't agree to that.

In your memorandum, Mr. Root continued, you say that Thirtieth street was good between Sixth and Eleventh avenues; why did you then call her to testify to dirty streets?

I have no idea. I did it with no bad motive.

Mr. Bartlett—We want that memorandum marked.

Mr. Andrews—The counsel has no right to have it marked; but we will give you all the rope you want.

Mr. Bartlett—And we will give you all the rope you want, too. (To the witness)—Do you know what you were told before you were sworn?

The witness—Tell me.

The witness—Don't get excited.

Mr. Bartlett—I will take care of my side of the matter; with ease?

The witness—The whole truth and nothing but the truth.

Mr. Bartlett—Did not Mr. Andrews ask you in what condition you saw these streets?

The witness—I can't tell you what he did ask.

Mr. Bartlett—Do you not remember what Mr. Andrews asked you?

The witness—You can refer to the stenographer.

Mr. Bartlett—I ask you whether you remember.

The witness—I do not, sir.

Mr. Bartlett—I understand this paper is to be marked, your Honor?

Mr. Andrews—There is no objection unless the witness is to be called.

The witness—I wish to keep it.

Mr. Root—Then you can keep it.

Mr. Vanderpool—We have a right to have this memorandum marked as a paper produced in evidence.

The witness—Suppose it was a dead?

Mr. Vanderpool—It was a dead the same rule would apply.

Mr. Andrews—There is not the slightest objection to that.

The witness—I am sorry, I do not know.

Mr. Andrews—That is no objection unless the witness is to be called.

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